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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,775	09/06/2000	Luigi Caramico	2182 US	2703

466 7590 05/10/2004  
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EXAMINER

NGUYEN, HUY THANH

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 05/10/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/582,775

Applicant(s)

CARAMICO ET AL.

Examiner

HUY T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

### ***Specification***

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if

the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Applicant is requested to provide section heading (a) – (h) in the specification

***Claim Rejections - 35 USC § 112***

3. Claims 1- 7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is not clear what is meant by "ad", line 4; "theh", line 5;"te", line 13; and in claim 2, "manula", line 4.

4. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 3-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Allen (WO 97/35311).

Regarding claim 1 , Allen discloses an automatic device for the delivery, of video signals with a high capacity optical disks record, characterized in a robotized system (1)

for running DVDs (2) responsible for the recording of the films to be broadcasted and of their loading into the readers DVD (3), which transfer the content (4) of the DVDs - a film in MPEG2 format for each DVD - towards the output module (5) consisting of cards which, according to the use of the outlets, multiple a plurality of MPEG flows into one or more transport stream MPEG2 in accordance with the specifications of Digital Video Broadcasting, or transform each MPEG flow into a corresponding standard analogic outlet (compound, component or digital non-compressed signal DI), while the check system 6 coordinates the operations of the different components of said system and realized an interface with possible other scheduling or check systems (page 5, 15-16, page 18, lines 1-19, page 26 line 28-page 27, line 7, page 31, line 11-26, page 33, line 31-page 34, line 24, page 49, line 5 to page 52, line 3).

Regarding claim 3, Allen teaches a plurality of readers DVD (3), automatically run by said control system (6) and which allow to read the content of the DVDs and to transfer the same towards the outlet cards; the films are stored onto DVD in single program transport stream format according to the specifications of DVB, and therefore the outlet data flow contains the video in MPEG2 format, with one or more audio channels linked thereto and possible text or data channels (Fig. 7).

Regarding claim 4, Allen further teaches an outlet module (5) which suitably integrates the non-compressed analogic/ digital kind outlet cards and the standard multiplex MPEG2 DVB-like cards (page 20).

Regarding claim 5, Allen further teaches a plurality of cards for non-compressed analogic and digital outlet, which convert the flow coming from DVD readers into a

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standard television signal of the kind PAL or NTSC, according to the features of the stored video; the outlet of the card may be synchronized with other sources of the video signal (genlockable) and is usually supplied in compound, as an optional in components and in noncompressed digital (page 20).

Regarding claim 6, Allen further teaches a card for digital outlet MPEG-2, that does not convert the MPEG-2 flow coming from the readers but combines a plurality of flows containing one single film (multiple program transport stream); the outline of the card and the combination possibilities of the flows are run by the control system, according to the needs of the user; the outlet flow is supplied on INDS or ASI interface, as it is specified in the DVB standard (page 21).

Regarding claim 7, Allen further a control system i6) that manages and synchronizes the functioning of all components of the system and that has one single external control interface; therefore, the whole system is run by the control system, locally by means of a graphic interface and in remote control by sending orders onto a serial or network interface; the control system has a record for storing the content of the DVDs present in the system, for performing its functions of control and coordination; said record is automatically updated each time DVDs are loaded or cancelled from the system; furthermore, said record allows the search of the titles for broadcasting: once a title has been selected, the corresponding DVD is loaded into the reader; from this moment on, the title may be sent into outlet through the output cards; also more complicated operations are possible, like fast forward, pause, slow motion, fast backward and positioning to a determined time-code (page 48-52, Abstract).

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Allen in view of Mori et al (JP-0800907A).

Allen further teaches the use of robotize system for eliminating all manula loading operations from cassettes or tapes with the consequent saving of time and money, but fails to teaches the system storing a great number of DVD disk. Mori teaches a system that has a great number of disks . It would have been obvious to one of ordinary sill in the art t modify Allen with Mori using a storing system as taught by Mori with the system of Allen for storing a great number of disk thereby increasing the storage capacity of signals.

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9. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saeki et al (6,078,727) in view of Oskay et al (5,642,337) .

Regarding claims 1-7, Saeki teaches the use of DVD and an apparatus (Figs. 15-20) for recording the received video signal with MPG2 format and using card for converting the MPEG format into NTSC analog video signal . Saeki further teaches the apparatus can perform operation of pause, fast forward under control of a system controller . Saeki fails to teach the apparatus is used with a robotic system .

Oskay discloses a device having a robotic system for recording and reproducing video file from optical disc and for automatically loading and unloading the optical disc in recording /reproducing device under controlling of a system controller (column 4, lines 25-65).

It would have been obvious to one of ordinary skill in the art to modify Saeki with Oskay by using the apparatus of Saeki with the robotic system of Oskay there reduce the time and labor when recording and reproducing on and from a great number of DVDs is required .

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone



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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N

  
HUY NGUYEN  
PRIMARY EXAMINER